REMARKS

The Office Action dated February 14, 2003 has been received and carefully noted. The above amendments to the claims, and the following remarks, are submitted as a full and complete response thereto. By this amendment, Applicant cancels claims 8-13 and adds new claims 14-19, thus claims 14-19 are all the claims pending in the present application.

1. **PRIORITY CLAIM and INFORMATION DISCLOSURE.**

Applicant thanks the Examiner for acknowledging Applicant's claim of foreign priority and receipt of the corresponding certified priority documents.

Applicant further thanks the Examiner for acknowledging consideration of the references identified in the IDS submitted on November 7, 2000.

2. **REJECTIONS.**

Claims 8-13 were rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent 5,583,920 to Wheeler, Jr. (hereinafter "*Wheeler*"). By virtue of Applicant canceling claims 8-13, this rejection is now moot. Notwithstanding, the following remarks discuss new claims 14-19 in the context of *Wheeler* and the present Office Action.

To establish a *prima facie* case of obviousness under 35 U.S.C. § 103, three requirements must be met. First, there must be some suggestion or motivation, either in the references themselves or in the knowledge generally available to one of ordinary skill in the art, to modify the reference or to combine reference teachings. Second, there must

be a reasonable expectation of success. Finally, the prior art reference (or references when combined) must teach or suggest all the claim limitations. (MPEP 2143)

Applicant respectfully submits that a *prima facie* case of obviousness has not been established at least because: (i) there is no proper motivation to modify *Wheeler* as suggested in the Office Action and (ii) even when modifying *Wheeler* as suggested in the Office Action, the limitations claimed by Applicant are not taught or suggested.

(i) There is no proper motivation to modify *Wheeler* as suggested.

Applicant notes that in the Office Action, the claims are rejected claims as being obvious under 35 U.S.C. § 103(a) in view of *Wheeler*, as opposed to being anticipated under 35 U.S.C. § 102. Yet the Office Action fails to identify any difference or differences believed to exist between the claims and the applied reference. (MPEP 706.02(j)(B))

The present Office Action merely states "[i]t would have been obvious to one or ordinary skill in the art at the time the invention was made that in any communications network or multiprocessor systems environment there are always communications between processes, for example call processing in an advanced intelligent network utilizing one or more platforms." (Office Action pg. 2 last par. - pg. 3 first par.) For the purposes of responding, Applicant can only assume that the Examiner believes it is the physical communication between first and second processes that are not disclosed by *Wheeler*.

However, if Applicant's assumption is incorrect, the Examiner is respectfully requested to issue a new non-final action on the merits that clearly identifies the difference in the claim over the applied reference since Applicant will not been afforded fair opportunity to reply.

The Office Action appears to rely on a "well within ordinary skill in the art" rationale to modify the *Wheeler* to allegedly meet the limitations of Applicant's claims. Applicant seasonably challenges this assertion and requests the Examiner to provide some evidence in support thereof. A statement that modifications of the prior art to meet the claimed invention would have well within the ordinary skill of the art is insufficient, by itself, to establish *prima facie* obviousness. *Ex parte Levengood*, 28 USPQ2d 1300 (Bd. Pat. App. & Inter. 1993).

(ii) *Wheeler*, modified or not, fails to teach or suggest the claim limitations.

Wheeler discloses methods and apparatus using a peripheral platform of an intelligent telephone network to control broadband communications functions. (Col. 6, ll. 46-50) Specifically, relating to Fig. 7 which was cited in the Office Action, *Wheeler* discloses a mode of voice grade call processing beginning when the Service Switching Point (SSP) detects some call related event as a trigger (S101; Fig. 7) which it may recognize for initiating communication with the Integrated Service Control Point (ISCP). (Col. 32, ll.40-44). The SSP may access stored translation tables so that it may establish a call communication connection between the caller and an Intelligent Peripheral (IP), without first querying the ISCP. (Col. 32, ll. 49-53).

If the triggering event corresponds to an IP service, call processing branches to step S107. (Col. 33, ll. 13-15). The Intelligent Peripheral utilizes call related data received from the SSP to formulate an initial query and transmits that query to the ISCP through a second signaling communication network (S108). The ISCP utilizes the information from the initial IP query message to access the stored data tables in a service control point database, formulate an appropriate instruction and transmit that instruction back to the IP via the second signaling network. (Col. 33, ll. 19-26). The IP receives the message and performs the call processing function specified in the instruction from the ISCP (S109). If further processing is needed (S110), processing flows back to step S108 for further transmission to the ISCP, thus forming a processing loop with steps S108, S109 and S110. This loop operates in essentially the same manner as the loop formed by steps S9, S10 and S11 of Fig. 5. (Col. 33, ll. 27-37).

In contrast, the claimed invention recites:

14. A procedure for interprocess data transfer in a telephone exchange system in which processes transmit messages between themselves in order to provide services between processes and in which a first process requests a service from a second process, which the second process, based on the request, starts providing the service to the first process and terminates the service when a predetermined condition is fulfilled, wherein the procedure further comprises:

saving, with the second process, service parameters given by the first process in the service request;

informing the second process, when requesting the service with the first process, that the service request concerns a service to be refreshed; and

refreshing the service in accordance with the saved service parameters when the first process wishes to be continued.

In the present Office Action, it is alleged that the IP querying the ISCP, as disclosed by *Wheeler*, is analogous to the first process requesting service from a second process of Applicant's invention. (Office Action, pg. 2, numbered par. 2). Applicant respectfully disagrees.

Figures 5 and 7, and the corresponding description (col. 31, ll. 19-63 and col. 33, ll. 13-37) of *Wheeler* describe the information exchange between the Intelligent Peripheral (IP) and the Integrated Service Control Point (ISCP). While the IP may formulate an initial query (including a parameter) and transmit it to the ISCP, as discussed above, the ISCP utilizes the information in the IP query to access the stored data tables in the SCP database.

The Office Action further alleges that *Wheeler* teaches the service parameters given by the first process are saved in the SCP database at col. 35, ll. 30-35. (Office Action pg. 3). While this allegation is debatable, it is irrelevant since *Wheeler* does not teach or suggest at least the acts of *saving, with the second process, service parameters given by the first process in the service request* and *refreshing the service in accordance with the saved service parameters when the first process wishes to be continued.*

In the Office Action, the Wheeler processing loop (i.e., S108, S109, S110) is compared with refreshing the service function of the present invention. Applicant respectfully submits that this is improper since *refreshing* in the claimed invention relates to a re-use of a service in accordance with parameters that were saved when the service was established.

This is not taught or suggested by *Wheeler*, which does not appear to use the same parameters given by the first process to request the service. By way of contrast, with a procedure of the present invention, these parameters are given by the first process, saved by the second process, and used for refreshing the service (e.g., they are stored to be re-used).

The "further processing" (S110) that is disclosed as being part of the processing loop shown in Fig. 7 is inferred in greater detail in relation to Fig. 5 at col. 31, ll. 44-63. Here *Wheeler* discloses an example implementation relating to call blocking and an override function using a PIN code. After hearing a voice message it is possible to override the blocking feature by inputting the PIN code. Thus, the processing does not stop at step S11, but continues back to step S9 as a processing loop. (Col. 33, ll. 35-37).

The processing loops disclosed by *Wheeler*, in respect to Figs. 5 and 7, are not analogous to the refreshing a service function of the present invention since they do not use saved parameters to refresh a service connection.

3. NEW CLAIMS

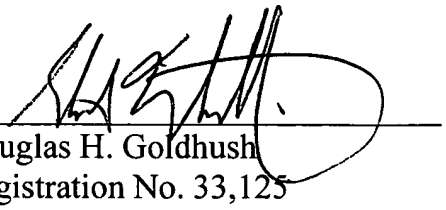
By this amendment Applicant adds new claims 14-19 and requests examination and favorable consideration thereof. New claims 14-19 are similar in nature to previous claims 8-13 (now cancelled) and are patentable for the reasons previously discussed.

For all the foregoing reasons, Applicant respectfully submits that claims 14-19 are patentable over *Wheeler* and requests the Examiner to reconsider and withdraw the §103 rejection based thereon.

In view of the foregoing, reconsideration and allowance of the present application are believed to be in order and such action is hereby solicited. If for any reason the Examiner determines that the application is not now in condition for allowance, it is respectfully requested that the Examiner contact, by telephone, the undersigned at the indicated telephone number to arrange for an interview to expedite the disposition of this application.

In the event this paper is not being timely filed, Applicant hereby petitions for an appropriate extension of time. Any fees for such an extension together with any additional fees may be charged to Counsel's Deposit Account 50-2222.

Respectfully submitted,



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